

“with agencies of the Department of Defense” and inserting “with agencies and departments of the Federal Government”.

(b) **RULEMAKING.**—Not later than 180 days after the date of enactment of this Act, in order to carry out the amendments made by subsection (a)—

(1) the Administrator of the Small Business Administration, in consultation with the Administrator for Federal Procurement Policy, shall promulgate regulations; and

(2) the Federal Acquisition Regulatory Council established under section 1302(a) of title 41, United States Code, shall amend the Federal Acquisition Regulation.

SA 4238. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. LIMITATION ON SECURITY ASSISTANCE AND MILITARY AND SECURITY COOPERATION WITH BURMA.

(a) **IN GENERAL.**—No agency or instrumentality of the United States may supply any security assistance, grant permission to re-transfer defense articles originating in the United States to, or engage in any military-to-military programs with the armed forces or security forces of the Republic of the Union of Myanmar (referred to in this section as “Burma”), including through training, observation, or participation in regional exercises, until the date on which the Secretary of Defense, in consultation with the Secretary of State, certifies to the Committee on Armed Services of the Senate, Committee on Foreign Relations of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Foreign Affairs of the House of Representatives that—

(1) the armed forces of Burma (referred to in this section as the “Tatmadaw”) have returned control of the Government of Burma to duly elected leadership;

(2) the Government of Burma is clearly on the path to civilian control over its security forces, including—

(A) instituting constitutional reforms to relinquish military participation in Government decision making;

(B) abiding by international human rights standards; and

(C) undertaking meaningful and significant security sector reform, including transparency and accountability, to prevent future abuses; and

(3) each of the criteria described in subsection (b) have been met.

(b) **CRITERIA.**—The criteria described in this subsection are—

(1) adherence by the Tatmadaw to international humanitarian law and international human rights law, including a pledge to stop future human rights abuses;

(2) support by the Tatmadaw for efforts to carry out meaningful and comprehensive investigations of alleged abuses, including—

(A) taking steps to hold accountable those members of the Tatmadaw who are responsible for human rights violations; and

(B) advancing justice for survivors, including through cooperating with the Independent International Fact-Finding Mission

on Myanmar, established by the United Nations Human Rights Council in March 2017;

(3) the Government of Burma, including the Tatmadaw—

(A) allowing immediate and unfettered humanitarian access to communities in areas affected by conflict, including Rohingya communities in Rakhine State;

(B) cooperating with the United Nations High Commissioner for Refugees and organizations affiliated with the United Nations to ensure—

(i) the protection of displaced persons; and

(ii) the safe and voluntary return of refugees and internally displaced persons; and

(C) extending recognition of human rights to all the people of Rakhine State, including the Rohingya;

(4) the cessation of Tatmadaw attacks on ethnic minority groups and the constructive participation of the Tatmadaw in the conclusion of a credible, nationwide cease-fire agreement, political accommodation, and constitutional change; and

(5) the release of all political prisoners in Burma.

(c) **REPORT.**—Not later than 30 days after the certification under subsection (a), the Secretary of State, in coordination with the Secretary of Defense, shall submit a report to the congressional committees referred to in subsection (a) that includes—

(1) a description and assessment of the Government of Burma’s strategy for security sector reform, if applicable, including governance and constitutional reforms to ensure civilian control;

(2) a description and assessment of the Government of Burma’s strategy and plans—

(A) to end the involvement of the Tatmadaw in the illicit trade in jade and other natural resources; and

(B) to implement reforms to end corruption and illicit drug trafficking;

(3) a list of past military activities conducted by the United States Government with the Government of Burma;

(4) a description of the United States strategy for any future military-military engagements between the United States Armed Forces and the Tatmadaw, the Burma Police Force, and armed ethnic groups;

(5) an assessment of the progress of the Tatmadaw towards developing a framework to implement human right reforms, including steps taken by the Tatmadaw to demonstrate respect for and implementation of international humanitarian law and international human rights law;

(6) an assessment of how any future engagement with the Government of Burma will effectively further the protection of human rights, including—

(A) cooperation with civilian authorities to investigate and prosecute cases of serious, credible, or gross human rights violations; and

(B) the elements of the military-to-military engagement between the United States and Burma that promote the implementation of human rights reforms;

(7) an assessment of the progress on the peaceful settlement of armed conflicts between the Government of Burma and ethnic minority groups, including actions taken by the Tatmadaw to adhere to cease-fire agreements and withdraw forces from conflict zones;

(8) an assessment of the Tatmadaw’s recruitment and use of children as soldiers; and

(9) an assessment of the Tatmadaw’s use of violence against women, sexual violence, or other gender-based violence as a tool of terror, war, or ethnic cleansing.

SA 4239. Mr. MENENDEZ (for himself, Mr. LEAHY, and Mr. WYDEN) sub-

mitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Saudi Arabia Accountability for Gross Violations of Human Rights Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the “Saudi Arabia Accountability for Gross Violations of Human Rights Act”.

SEC. 1292. FINDINGS.

Congress finds the following:

(1) On October 2, 2018, Washington Post journalist Jamal Khashoggi was murdered by Saudi Government agents in Istanbul.

(2) According to the United Nations Special Rapporteur’s June 2019 report, Mr. Khashoggi contacted the Saudi Embassy in Washington regarding required documentation he needed to obtain from Saudi authorities and “was told to obtain the document from the Saudi embassy in Turkey”.

(3) According to press reports, Mr. Khashoggi’s associates were surveilled after having their phones infiltrated by spyware.

(4) On July 15, 2019, the House of Representatives passed by a margin of 405-7 the Saudi Arabia Human Rights and Accountability Act of 2019 (H.R. 2037), which required—

(A) an unclassified report by the Director of National Intelligence on parties responsible for Khashoggi’s murder, a requirement ultimately inserted into and passed as part of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92);

(B) visa sanctions on all persons identified in such report; and

(C) a report on human rights in Saudi Arabia.

(5) On February 26, 2021, the Director of National Intelligence released the report produced pursuant to congressional direction, which stated, “we assess that Saudi Arabia’s Crown Prince Muhammad bin Salman approved an operation in Istanbul, Turkey to capture or kill Saudi journalist Jamal Khashoggi.”. The report also identified several individuals who “participated in, ordered, or were otherwise complicit in or responsible for the death of Jamal Khashoggi on behalf of Muhammad bin Salman. We do not know whether these individuals knew in advance that the operation would result in Khashoggi’s death.”.

(6) Section 7031(c) of division K of the Consolidated Appropriations Act, 2021 states “Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved, directly or indirectly, in . . . a gross violation of human rights. . . shall be ineligible for entry into the United States.”.

(7) Section 6 of the Arms Export Control Act (22 U.S.C. 2756) provides that no letters of offer may be issued, no credits or guarantees may be extended, and no export licenses may be issued with respect to any country determined by the President to be engaged in a “consistent pattern of acts of intimidation or harassment directed against individuals in the United States”.

(8) Section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304) directs the President to formulate and conduct international

security assistance programs of the United States in a manner which will “promote and advance human rights and avoid identification of the United States, through such programs, with governments which deny to their people internationally recognized human rights and fundamental freedoms, in violation of international law or in contravention of the policy of the United States”.

(9) Secretary of State Antony Blinken on February 26, 2021, stated: “As a matter of safety for all within our borders, perpetrators targeting perceived dissidents on behalf of any foreign government should not be permitted to reach American soil. . . . We have made absolutely clear that extraterritorial threats and assaults by Saudi Arabia against activists, dissidents, and journalists must end.”.

SEC. 1293. SANCTIONS WITH RESPECT TO FOREIGN PERSONS LISTED IN THE REPORT OF THE DIRECTOR OF NATIONAL INTELLIGENCE ON THE MURDER OF JAMAL KHASHOGGI.

(a) IMPOSITION OF SANCTIONS.—On and after the date that is 60 days after the date of the enactment of this Act, the sanctions described in subsection (b) shall be imposed with respect to each foreign person listed in the Office of the Director of National Intelligence report titled “Assessing the Saudi Government’s Role in the Killing of Jamal Khashoggi”, dated February 11, 2021.

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions described in this subsection are the following:

(A) INELIGIBILITY FOR VISAS AND ADMISSION TO THE UNITED STATES.—

(i) Inadmissibility to the United States.

(ii) Ineligibility to receive a visa or other documentation to enter the United States.

(iii) Ineligibility to otherwise be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 110 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) Revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the foreign person’s possession.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS.—Sanctions under paragraph (1) shall not apply with respect to a foreign person if admitting or paroling the person into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(3) WAIVER IN THE INTEREST OF NATIONAL SECURITY.—The President may waive for an individual entry into the United States the application of this section with respect to a foreign person who is A-1 visa eligible and who is present in or seeking admission into the United States for purposes of official business if the President determines and transmits to the appropriate congressional committees an unclassified written notice and justification not later than 15 days before the granting of such waiver, that such a waiver is in the national security interests of the United States.

(c) SUSPENSION OF SANCTIONS.—

(1) IN GENERAL.—The President may suspend in whole or in part the imposition of sanctions otherwise required under this section if the President certifies to the appro-

priate congressional committees that the following criteria have been met in Saudi Arabia:

(A) The Government of Saudi Arabia is not arbitrarily detaining citizens or legal residents of the United States for arbitrary political reasons, including criticism of Saudi government policies, peaceful advocacy of political beliefs, or the pursuit of United States citizenship.

(B) The Government of Saudi Arabia is cooperating in outstanding criminal proceedings in the United States in which a Saudi citizen or national departed from the United States while the citizen or national was awaiting trial or sentencing for a criminal offense committed in the United States.

(C) The Government of Saudi Arabia has made significant numerical reductions in individuals detained for peaceful political reasons, including activists, journalists, bloggers, lawyers, or critics.

(D) The Government of Saudi Arabia has disbanded any units of its intelligence or security apparatus dedicated to the forced repatriation of dissidents or critical voices in other countries.

(E) The Government of Saudi Arabia has made meaningful public commitments to uphold internationally recognized standards governing the use, sale, and transfer of digital surveillance items and services that can be used to abuse human rights.

(F) The Government of Saudi Arabia has instituted meaningful legal reforms to protect the rights of women, the rights of freedom of expression and religion, and due process in its judicial system.

(2) REPORT.—Accompanying the certification described in paragraph (1), the President shall submit to the appropriate congressional committees a report that contains a detailed description of Saudi Arabia’s adherence to the criteria described in the certification.

(d) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

(3) FOREIGN PERSON.—The term “foreign person” means any individual who is a citizen or national of a foreign country (including any such individual who is also a citizen or national of the United States).

(4) FOREIGN PERSON WHO IS A-1 VISA ELIGIBLE.—The term “foreign person who is A-1 visa eligible” means an alien described in section 101(a)(15)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(A)(i)).

(5) NATIONAL.—The term “national”, with respect to an individual, has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(6) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1294. REPORT ON INTIMIDATION OR HARASSMENT DIRECTED AGAINST INDIVIDUALS IN THE UNITED STATES AND OTHER MATTERS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall submit to the appropriate congressional committees a report identifying any entities, instrumentalities, or agents of the Government of Saudi Arabia engaged in “a consistent pattern of acts of intimidation or harassment directed against individuals in the United States” pursuant to section 6 of the Arms Export Control Act (22 U.S.C. 2756).

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A detailed description of such acts in the preceding period.

(2) A certification of whether such acts during the preceding period constitute a “consistent pattern of acts of intimidation or harassment directed against individuals in the United States” pursuant to section 6 of the Arms Export Control Act (22 U.S.C. 2756).

(3) A determination of whether any United States-origin defense articles were used in the commission of such acts.

(4) A determination of whether entities, instrumentalities, or agents of the Government of Saudi Arabia supported or received support from foreign governments, including China, in the commission of such acts.

(5) Any actions taken by the United States Government to deter incidents of intimidation or harassment directed against individuals in the United States.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) SUNSET.—This section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

SEC. 1295. REPORT ON EFFORTS TO UPHOLD HUMAN RIGHTS IN UNITED STATES SECURITY ASSISTANCE PROGRAMS WITH THE GOVERNMENT OF SAUDI ARABIA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on efforts of the Department of State to ensure that United States security assistance programs with Saudi Arabia are formulated in a manner that will “avoid identification of the United States, through such programs, with governments which deny to their people internationally recognized human rights and fundamental freedoms” in accordance with section 502B of the Foreign Assistance Act (22 U.S.C. 2304).

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representative.

SEC. 1296. REPORT ON CERTAIN ENTITIES CONNECTED TO FOREIGN PERSONS ON THE MURDER OF JAMAL KHASHOGGI.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of appropriate agencies, shall submit to the appropriate congressional committees a report on private, commercial, and nongovernmental entities, including nonprofit foundations, controlled in whole or in part by any foreign person named in the Office of the Director of National Intelligence report titled “Assessing the Saudi Government’s Role in the Killing of Jamal Khashoggi”, dated February 11, 2021.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include the following:

(1) A description of such entities.

(2) A detailed assessment, based in part on credible open sources and other publicly-available information, of the roles, if any, such entities played in the murder of Jamal Khashoggi or any other gross violations of internationally recognized human rights.

(3) A certification of whether any such entity is subject to sanctions pursuant to the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note).

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SA 4240. Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. MERKLEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. SAFE HARBOR FOR HONG KONG REFUGEES.

(a) **DESIGNATION OF CERTAIN RESIDENTS OF HONG KONG AS PRIORITY 2 REFUGEES.**—

(1) **IN GENERAL.**—The Secretary of State, in consultation with the Secretary of Homeland Security, shall designate, as Priority 2 refugees of special humanitarian concern, the following categories of aliens:

(A) Individuals who are residents of the Hong Kong Special Administrative Region who suffered persecution, or have a well-founded fear of persecution, on account of their peaceful expression of political opinions or peaceful participation in political activities or associations.

(B) Individuals who have been formally charged, detained, or convicted on account of their peaceful actions as described in section 206(b)(2) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5726).

(C) The spouses, children, and parents (as such terms are defined in subsections (a) and (b) of section 101 of the Immigration and Na-

tionality Act (8 U.S.C. 1101)) of individuals described in subparagraph (A) or (B), except such parents who are citizens of a country other than the People’s Republic of China.

(2) **PROCESSING OF HONG KONG REFUGEES.**—The processing of individuals described in paragraph (1) for classification as refugees may occur in Hong Kong or in a third country.

(3) **ELIGIBILITY FOR ADMISSION AS REFUGEES.**—An alien may not be denied the opportunity to apply for admission as a refugee under this subsection primarily because such alien—

(A) qualifies as an immediate relative of a citizen of the United States; or

(B) is eligible for admission to the United States under any other immigrant classification.

(4) **FACILITATION OF ADMISSIONS.**—An applicant for admission to the United States from the Hong Kong Special Administrative Region may not be denied primarily on the basis of a politically motivated arrest, detention, or other adverse government action taken against such applicant as a result of the participation by such applicant in protest activities.

(5) **EXCLUSION FROM NUMERICAL LIMITATIONS.**—Aliens provided refugee status under this subsection shall not be counted against any numerical limitation under section 201, 202, 203, or 207 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, 1153, and 1157).

(6) **REPORTING REQUIREMENTS.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Homeland Security shall submit a report regarding the matters described in subparagraph (B) to—

(i) the Committee on the Judiciary and the Committee on Foreign Relations of the Senate; and

(ii) the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives.

(B) **MATTERS TO BE INCLUDED.**—Each report required under subparagraph (A) shall include—

(i) the total number of applications that are pending at the end of the reporting period;

(ii) the average wait-times for all applicants who are currently pending—

(I) employment verification;

(II) a prescreening interview with a resettlement support center;

(III) an interview with U.S. Citizenship and Immigration Services; or

(IV) the completion of security checks; and

(iii) the number of denials of applications for refugee status, disaggregated by the reason for each such denial.

(C) **FORM.**—Each report required under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(D) **PUBLIC REPORTS.**—The Secretary of State shall make each report submitted under this paragraph available to the public on the internet website of the Department of State.

(7) **SATISFACTION OF OTHER REQUIREMENTS.**—Aliens granted status under this subsection as Priority 2 refugees of special humanitarian concern under the refugee resettlement priority system shall be considered to satisfy the requirements under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) for admission to the United States.

(b) **WAIVER OF IMMIGRANT STATUS PRESUMPTION.**—

(1) **IN GENERAL.**—The presumption under the first sentence of section 214(b) of the Immigration and Nationality Act (8 U.S.C.

1184(b)) that every alien is an immigrant until the alien establishes that the alien is entitled to nonimmigrant status shall not apply to an alien described in paragraph (2).

(2) **ALIEN DESCRIBED.**—

(A) **IN GENERAL.**—An alien described in this paragraph is an alien who—

(i) is a resident of the Hong Kong Special Administrative Region on February 8, 2021;

(ii) is seeking entry to the United States to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158); and

(iii)(I) had a leadership role in civil society organizations supportive of the protests in 2019 and 2020 relating to the Hong Kong extradition bill and the encroachment on the autonomy of Hong Kong by the People’s Republic of China;

(II) had an organizing role for such protests;

(III) acted as a first aid responder for such protests;

(IV) suffered harm while covering such protests as a journalist;

(V) provided paid or pro-bono legal services to 1 or more individuals arrested for participating in such protests; or

(VI) during the period beginning on June 9, 2019, and ending on February 8, 2021, was formally charged, detained, or convicted for his or her participation in such protests.

(B) **EXCLUSION.**—An alien described in this paragraph does not include any alien who is a citizen of a country other than the People’s Republic of China.

(c) **REFUGEE AND ASYLUM DETERMINATIONS UNDER THE IMMIGRATION AND NATIONALITY ACT.**—

(1) **PERSECUTION ON ACCOUNT OF POLITICAL OPINION.**—

(A) **IN GENERAL.**—For purposes of refugee determinations under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), an individual whose citizenship, nationality, or residency is revoked for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws (as defined in section 101(a) of such Act (8 U.S.C. 1101(a))) shall be considered to have suffered persecution on account of political opinion.

(B) **NATIONALS OF THE PEOPLE’S REPUBLIC OF CHINA.**—For purposes of refugee determinations under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), a national of the People’s Republic of China whose residency in the Hong Kong Special Administrative Region, or any other area within the jurisdiction of the People’s Republic of China, as determined by the Secretary of State, is revoked for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws shall be considered to have suffered persecution on account of political opinion.

(2) **CHANGED CIRCUMSTANCES.**—For purposes of asylum determinations under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), the revocation of the citizenship, nationality, or residency of an individual for having submitted to any United States Government agency a nonfrivolous application for refugee status, asylum, or any other immigration benefit under the immigration laws shall be considered to be a changed circumstance under subsection (a)(2)(D) of such section.

(d) **STATEMENT OF POLICY ON ENCOURAGING ALLIES AND PARTNERS TO MAKE SIMILAR ACCOMMODATIONS.**—It is the policy of the United States to encourage allies and partners of the United States to make accommodations similar to the accommodations made under this Act for residents of the